

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In Re.

No. C 14-5085 SI (pr)

JON PEROTON,


ORDER OF DISMISSAL

Plaintiff.

Plaintiff sent to the court a letter complaining about prison conditions. In an effort to protect his rights, a new action was opened and the letter was filed on November 18, 2014. Plaintiff was informed that he had not filed a complaint, and was given 28 days to do so or the action would be dismissed. He also was sent a notice that he had not paid the filing fee or applied for leave to proceed *in forma pauperis*, and was given 28 days to either pay the fee or file the application or the action would be dismissed. Plaintiff did not file a complaint or file an *in forma pauperis* application or pay the fee. He did, however, send a letter in which he stated that he had not intended to file a new civil action and asked that his action be dismissed. See Docket # 4. In light of plaintiff's letter clarifying that he had not intended to file a new civil action, this action is DISMISSED because it was opened in error. No fee is due because the action was opened in error. The clerk shall close the file.

IT IS SO ORDERED.

Dated: December 12, 2014



SUSAN ILLSTON
United States District Judge